

1 DAVID L. ANDERSON, CABN 149604
United States Attorney
2 DEBORAH LEE STACHEL, CSBN 230138
Regional Chief Counsel, Region IX
Social Security Administration
3 S. WYETH MCADAM
Special Assistant United States Attorney
4 160 Spear Street, Suite 800
San Francisco, California 94105
5 Telephone: (415) 268-5610
6 Facsimile: (415) 744-0134
7 E-Mail: Wyeth.McAdam@ssa.gov

8 Attorneys for Defendant

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10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA (~~OAKLAND~~)

11 NADIR ABU ALKASSIM HUSSAIN,

12 Plaintiff,

13 vs.

14 ANDREW SAUL,
Commissioner of Social Security,

15 Defendant.
16
17

) CIVIL NO. 5:19-cv-01606-SVK
)

) **STIPULATION AND [~~PROPOSED~~]**
) **ORDER FOR EXTENSION OF TIME**
) **TO FILE CROSS-MOTION FOR**
) **SUMMARY JUDGMENT AND**
) **OPPOSITION TO PLAINTIFF'S**
) **MOTION FOR SUMMARY**
) **JUDGMENT **AS MODIFIED****

18 IT IS HEREBY STIPULATED, by and between the parties, by and through their respective
19 counsel of record, that, with the Court's approval, Defendant shall have an extension of time to file his
20 Cross-motion for summary judgment and opposition to Plaintiff's Motion for Summary Judgment. The
21 current due date is January 6, 2020. The new date will be **February 20, 2020**. All other deadlines will
22 extend accordingly. **For any further extension in excess of 45 days, the Court will require Defendant to**
23 **certify that it has (1) read Plaintiff's brief and (2) met and conferred with Plaintiff - either in person or**
24 **by telephone, not by email - regarding Plaintiff's substantive claims.**

25 This is the first extension of time requested by Defendant in the above-captioned matter.
26 Defense counsel needs an extension of time because the attorney responsible for briefing needs
27 additional time to complete review and analysis of the 917-page record, consider the issues raised in
28 Plaintiff's brief, determine whether options exist for settlement, accommodate competing workload
demands, draft the response, and go through the necessary in-house reviews. With regard to competing

1 workload demands, in December, defense counsel has had six District Court briefs due, all of which
2 courts have already extended once. In December, defense counsel is also taking leave to assist her
3 family settle her in-law's estate. In January, defense counsel has twelve briefs due, several of which
4 courts have previously extended time for Defendant to respond. Currently, the Office of the General
5 Counsel has undergone an unforeseen reduction of several staff attorneys; Social Security is under a
6 hiring freeze and management would have difficulty reassigning this case to another attorney. This
7 request is made in good faith with no intention to delay unduly the proceedings. Counsel apologizes to
8 the Court and Plaintiff for any inconvenience this delay may cause.

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11 Respectfully submitted,

12 Dated: December 26, 2019

13 By: /s/ David P. Waggoner
14 David P. Waggoner
Homeless Action Center

15 Attorney for Plaintiff
16 (*by email authorization on 12/26/2019)

17
18 Dated: December 26, 2019

19 DAVID L. ANDERSON
United States Attorney

20 s/ S. Wyeth McAdam
21 S. WYETH MCADAM
22 Special Assistant United States Attorney
Attorneys for Defendant

23 IT IS SO ORDERED:

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26 THE HONORABLE
27 UNITED STATES MAGISTRATE JUDGE
28 SUSAN VAN KEULEN

DATE: December 27, 2019